

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In Re	§	
	§	
CHRISTOPHER H. LOEFFLER,	§	
	§	
Debtor.	§	CIVIL ACTION NO. H-05-4282

ORDER

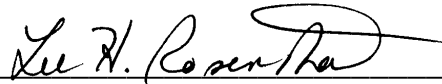
Christopher H. Loeffler files this *pro se* appeal of the bankruptcy court's order annulling the stay of a foreclosure sale. Loeffler contends that the bankruptcy court's case manager informed him that a hearing on the stay motion had been cancelled, but the bankruptcy court nevertheless held the hearing and entered an order annulling the stay because Loeffler failed to attend the hearing. Loeffler argues that the bankruptcy court intentionally "deceived" him because Loeffler had filed a complaint against the bankruptcy judge presiding over his case.

The bankruptcy court's reason for annulling the stay was that "[n]o party or party in interest has opposed the Motion [to annul the stay], requested a hearing, or filed an answer or affidavit." Loeffler has not identified or introduced any evidence that makes this statement legally or factually erroneous. The record does not include a filing from Loeffler opposing the annulment of the stay, nor another responsive pleading from Loeffler. Loeffler failed to file opposition to the motion to annul with the bankruptcy court through a written

pleading, brief, or affidavit. The bankruptcy court did not err in granting the motion to annul the automatic stay.

The bankruptcy court's order is affirmed, all outstanding motions are denied as moot, and this appeal is dismissed.

SIGNED on June 29, 2006, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", is positioned above a horizontal line. The signature is fluid and cursive, with a large loop at the end of the last name.

Lee H. Rosenthal
United States District Judge